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SUPERIOR COURT FOR THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF COCHISE

THOMAS ABRUZZO, natural father on
behalf of ASHLEY ABRUZZO AND
KRISTA ABRUZZO, minors,

Plaintiffs,

vs.

SIERRA VISTA UNIFIED SCHOOL
DISTRICT, a political subdivision of the
state of Arizona; DAVID F. FALCON and
JANE DOE FALCON, husband and wife;

Defendants.

No. CV201800043

SCHEDULING ORDER

Assigned to: Charles A. Irwin, Div. 1

Upon consideration of the parties' Joint Report, the court orders as follows:

1. **Initial disclosure:** The parties have exchanged their initial disclosure statements.

2. **Expert witness disclosure:**

Parties shall disclose areas of expert testimony by **August 31, 2018**,

Plaintiff shall disclose the identity and opinions of experts by **September 28, 2018**.

1 Defendant shall disclose the identity and opinions of experts by **November 16,**
2 **2018.**

3 The parties shall simultaneously disclose their rebuttal expert opinions by
4 **December 14, 2018.**

5 3. ***Lay (non-expert) witness disclosure:*** The parties shall disclose all lay witnesses by
6 **October 1, 2018.**

7 4. ***Final supplemental disclosure:*** Each party shall provide final supplemental
8 disclosure by January 18, 2019. This order does not replace the parties' obligation
9 to seasonably disclose Rule 26.1 information on an on-going basis and as it becomes
10 available.

11 **No party shall use any lay witness, expert witness, expert opinion, or exhibit at
12 trial not disclosed in a timely manner, except upon order of the court for good
13 cause shown or upon a written or an on-the-record agreement of the parties.**

14 5. ***Discovery deadlines:*** The parties will propound all discovery undertaken pursuant
15 to Rules 33 through 36 by **October 1, 2018.** The parties will complete the
16 depositions of parties and lay witnesses by **December 1, 2018** and will complete the
17 depositions of expert witnesses by **January 25, 2019.** The parties will complete all
18 other discovery by **January 25, 2019.** ("Complete discovery" includes conclusion
19 of all depositions and submission of full and final responses to written discovery.)

20 6. ***Settlement conference or private mediation:*** [choose one]:

21 ☐ **Referral to ADR for a settlement conference:** The clerk or the court will issue a
22 referral to ADR by a separate minute entry.

23 ☒ **Private mediation:** The parties shall participate in mediation using a private
24 mediator agreed to by the parties. The parties shall complete the mediation by
25 **December 1, 2018.** All attorneys and their clients, all self-represented parties, and
26 any non-attorney representatives who have full and complete authority to settle
this case shall personally appear and participate in good faith in this mediation,
even if no settlement is expected. However, if a non-attorney representative
requests a telephonic appearance and the mediator grants the request prior to the
mediation date, a non-attorney representative may appear telephonically.

☐ **No settlement conference or mediation:** A settlement conference or private

1 mediation is not ordered.

2
3 7. **Dispositive motions:** The parties shall file all dispositive motions by January 25,
4 2019.


5 8. **Trial setting conference:** On Monday, February 4, 2019 at 10:00 am
6 the court will conduct a telephonic trial setting conference. Attorneys and self-
7 represented parties shall have their calendars available for the conference.

8 9. ~~Plaintiff~~ Defendant will initiate the conference call by arranging for the
9 presence of all other counsel and self-represented parties, and by calling this
10 division at 520-807-3314 [division's telephone number] at the scheduled time.

11 10. **Firm dates:** No stipulation of the parties that alters a filing deadline or a hearing
12 date contained in this scheduling order will be effective without an order of this
13 court approving the stipulation. Dates set forth in this order that govern court filings
14 or hearings are firm dates and may be modified only with this court's consent and
15 for good cause. This court ordinarily will not consider a lack of preparation as good
16 cause.

17 11. **Further orders:** The court further orders as follows:
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19

20
21 DATED: October 2, 2018

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23 
24
25 HONORABLE CHARLES A. IRWIN
26

Original filed with the Clerk this 24th day of September, 2018

Copy mailed to:

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